IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 26251 of 1997

Between:

M/s. Sukhdevraj Sharma & Bros., Rep. Partner- Sri Baldevraj Sharma,
R/o. 10-3-30/1, Nehrunagar East,
Sec-bad-26.

..... PETITIONER

AND

1 Union of India, Military Engg. Services,
Dakshin Khaman Mukyalaya, Engg. Shakha,
Hq: Southern Command, Engg. Branch, Pune-411 001.
2 Chief Engineer, R & D Picket,
Secunderabad-500 003.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly in the nature of writ of Certiorari to quash the telegram issued by the 2nd respondent asking for return of the tender documents

Counsel for the Petitioner:MR.M.R.HARSHA (Not present)

Counsel for the Respondent No.: MR.A.RAJASHEKAR REDDY (ASST.SOLICITOR GEN.)

The Court made the following order:

THE HON'BLE SRI JUSTICE N.V.RAMANA

W.P.26251 OF 1997

ORDER:

The present writ petition is filed questioning the action of the respondents in calling upon the petitioner to return the tender documents issued vide letter No. 84386/05/E8 dated 12th September, 1997, without offering rates vide telegram dated 3-10-1997.

This Court while admitting the writ petition, passed an interim order dated 15-10-1997 directing the respondents to permit the petitioner to participate in Contract No.CERD/SEC/45 of 97-98. In the said order, it was also clarified that the respondents shall be at liberty not to announce the results of the tender if so considered necessary in respect of the tenders that my have been received and opened by the respondents including that of the petitioner.

Learned counsel for petitioner called absent. Learned Standing Counsel for respondents submitted that the cause in the writ petition does not survive and it has become infructuous.

Accordingly, the writ petition is dismissed as infructuous. No costs.

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N.V.RAMANA,J

28-3-2005

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Union of India, Military Engg. Services,
Dakshin Khaman Mukyalaya, Engg. Shakha,
Hq: Southern Command, Engg. Branch, Pune-411 001.
2 The Chief Engineer, R & D Picket,
Secunderabad-500 003.

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